

BILL NO. S-93-12-02

ORDINANCE NO. S- 91-93

ORDINANCE AUTHORIZING THE CITY OF FORT
WAYNE TO AMEND AND SUPPLEMENT THE TRUST INDENTURE
AND LOAN AGREEMENT FOR THE INDIANA COATINGS CORP./
THE CROWN GROUP, INCORPORATED PROJECT AND APPROVING
OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the City of Fort Wayne (the "City") issued
on December 28, 1989, its Economic Development Refunding
Revenue Bond, Series 1989 (Indiana Coatings Corp.
Project) (the "Bond") pursuant to a Trust Indenture dated
as of December 15, 1989 (the "Indenture") from the City
to Lincoln National Bank and Trust Company of Fort Wayne
(now known as Norwest Bank Fort Wayne, N.A.), as Trustee
(the "Trustee"), and loaned the proceeds of said Bond
pursuant to the terms of the Loan Agreement dated as of
December 15, 1989 (the "Loan Agreement"), between the
City and Indiana Coatings Corp. (now known as The Crown
Group, Incorporated) (the "Borrower") to refinance
certain economic development facilities; and

WHEREAS, the City, the Trustee and the Borrower now
desire to amend and supplement the Indenture and the Loan
Agreement to substitute a different issuer of the Letter
of Credit, to amend the name of the Borrower and to amend
the name of the Trustee; and

WHEREAS, the City, the Trustee, the Borrower and the
original issuer of the Letter of Credit have consented to
such amendments and supplements;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

Section 1. The substantially final form of the
First Supplement and Amendment to Trust Indenture (the
"Amendatory Indenture") and the First Supplement and
Amendment to Loan Agreement (the "Amendatory Loan
Agreement"), each dated as of November 15, 1993, are
hereby approved and shall be incorporated herein by
reference and shall be inserted in the minutes of the

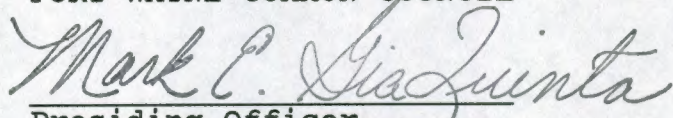
1 Common Council and kept on file by the Clerk. In
2 accordance with the provisions of I.C. 36-1-5-4, two (2)
3 copies of the Amendatory Indenture and the Amendatory
4 Loan Agreement are on file in the office of the Clerk for
public inspection.

5 Section 2. The action of the Mayor and the Clerk in
6 executing, attesting, affixing or imprinting by any means
7 the City seal to the documents constituting the
8 Amendatory Indenture and the Amendatory Loan Agreement
9 approved herein on behalf of the City and any other
10 document deemed necessary or desirable to consummate the
11 transaction is hereby authorized, ratified and approved.
12 The Mayor and Clerk are expressly authorized to approve
13 any modifications or additions to the Amendatory Trust
14 Indenture and the Amendatory Loan Agreement which take
15 place after the date of this Ordinance with the review
16 and advice of the City Attorney, it being the express
17 understanding of this Common Council that said Amendatory
18 Trust Indenture and Amendatory Loan Agreement are in
19 substantially final form as of the date of this
20 Ordinance. The approval of said modifications or
21 additions shall be conclusively evidenced by the
22 execution and attestation thereof and the affixing of the
23 seal thereto or the imprinting of the seal thereon.

24 Section 3. This Ordinance shall be in full force
25 and effect from and after its passage and signing by the
26 Mayor but only upon the Trustee obtaining the requisite
27 consents from the holders of outstanding Bonds with
28 respect to the amendments set forth in the Amendatory
29 Trust Indenture and Amendatory Loan Agreement.

30 Passed and adopted this 23rd day of November, 1993.

31 FORT WAYNE COMMON COUNCIL

32 
Presiding Officer

(Seal)

Attest:

Clerk

Presented by me to the Mayor of the City of Fort
Wayne, on the ____ day of November, 1993.

Clerk, City of Fort Wayne

Approved and signed by the Mayor of the City of Fort
Wayne, on the ____ day of November, 1993.

Mayor, City of Fort Wayne

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on _____ (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____ day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Lunsey,
seconded by _____, and duly adopted, placed on its passage.
PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-7-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL)
(SPECIAL) (ZONING) _____ ORDINANCE RESOLUTION NO. S-91-93.
on the 7th day of December, 1993

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Mark C. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 8th day of December, 1993,
at the hour of 11:30 o'clock PM, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of December,
1993, at the hour of 11:00 o'clock PM, M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

SUSPENSION OF RULES

BILL NO. S-93-12-02

COUNCILMEMBER Lunsey, MOVED TO SUSPEND THE RULES
FOR THE PASSAGE OF BILL NO. 12-93-12-02, AT THE COMMON COUNCIL
MEETING OF THE CITY OF FORT WAYNE, INDIANA, HELD ON THE 1d,
DAY OF December, 19 93, SAID MOTION WAS ~~SECONDED~~ BY
COUNCILMEMBER _____, AND DULY PASSED BY UNANIMOUS
VOTE OF ALL LEGALLY ELECTED MEMBERS OF THE COMMON COUNCIL. THE ABOVE
BILL NO. 12-93-12-02 WAS THEN PLACED ON PASSAGE.

DATED: 12-7-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark P. GiaQuinta
PRESIDING OFFICER

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>Bradbury</u>	_____	_____	_____
<u>EDMONDS</u>	<u>Clitus R Edmonds</u>	_____	_____	_____
<u>GiaQUINTA</u>	<u>Mark P. GiaQuinta</u>	_____	_____	_____
<u>HENRY</u>	<u>Sam Henry</u>	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>LUNSEY</u>	<u>Lunsey</u>	_____	_____	_____
<u>RAVINE</u>	<u>Steve Ravine</u>	_____	_____	_____
<u>SCHMIDT</u>	<u>Schmidt</u>	_____	_____	_____
<u>TALARICO</u>	<u>Sam Talarico</u>	_____	_____	_____

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA
ON 12-7-93, BILL NO. 12-93-12-02.

ATTEST

(SEAL)

DATED: 12-7-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK